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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,426	11/28/2000	Sylvain Devillers	PHF 99,613	7003
24737	7590	06/15/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			WU, JINGGE	
			ART UNIT	PAPER NUMBER
			2623	
			DATE MAILED: 06/15/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/723,426

Applicant(s)

DEVILLERS ET AL.

Examiner

Jingge Wu

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 2 and 3 is/are allowed.
- 6) ☐ Claim(s) 1 and 4-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under Ex Parte Quayle, 1935 Comm'r Dec. 11 (1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on March 31, 2004 has been entered.
2. Applicants' response to the last Office Action, filed on February 13, 2004 has been entered and made of record.
3. Applicants' amendment has required new grounds of rejection. New grounds rejection are therefore presented in the Office Action.
4. Applicant's arguments with respect to claims 1, 4-7 have been fully considered but are moot in view of the new ground(s) of rejection

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Report on Analysis of Video segments in terms of Visual information, thereafter, AVIR (a reference of record) in view of the article "Representation and the dimensions of shape deformation" to Saund (a reference of PTO 1449) and US 6625330 to Duney et al.

As to claim 1, AVIR discloses a method of coding a plurality of multimedia data comprising:

- an acquisition step, for converting said multimedia data into one or several bitstreams (page 40-42 section 4.3);

- a structuring step for capturing the different levels of information in said bitstreams by means of analysis and segmentation (page 10-11, page 40-48, section 4.3-5.3);

- a description step, for generating description data for obtained levels of information (page 50-52, section 7.22);

- a coding step, allowing to encode the description data, wherein

- a defining sub-step provided for storing a set of descriptors related to said plurality of multimedia data (page 54-55); and

- a description sub-step, provided for selecting the description data to be coded in according with every level of information as obtained in the structuring step (page 3-4, and page 54-59), and said set of descriptors includes at least a shape descriptor and a shape deformation descriptor (page 8 and 18-19 note that the parameterized shape and the set of edges detected in the non-rigid object moving region defined the shape deformation descriptor).

Even if, for argument purpose, assuming AVIR does not expressly mention shape deformation descriptor, Saund clearly teaches the deficiency.

Saund, in an analogous environment, discloses a representation (description) for visual shape are related by the deformation of their geometries (abstract, page 685-687).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the scheme of Saund in the method of AVIR in order to efficiently obtain and represent the deformation of shape (Saund, page 684).

The combination of AVIR and Saund does not explicitly mention the shape descriptor and the shape deformation descriptor based on the Fourier descriptors.

Dubley, in an analogous environment, discloses using Fourier descriptors to represent shape and deformed shape (fig. 5, fig. 7-8, col. 3 lines 36-40, col. 6 line 61-col. 7 line 63).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the scheme of Dubley in the method of AVIR and Saund in order to efficiently code and represent the deformation of shape by the Fourier descriptors.

As to claims 4-6, claims 4-6 are the corresponding a computer-readable storage mediums, a computer program product, and a transmittable coded signal claim to claim 1. The discussions are addressed with regard to claim 1.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over AVIR, Dubley and Saund in view of US 693936 to Huang et al.

As to claim 7, AVIR does not explicitly disclose a method of decoding.

Huang, in an analogous environment, discloses a decoding method,

Comprising:

a decoding step (fig. 9, col. 9, lines 11-34);
a storing step (fig. 9, col. 9, lines 11-34);
a searching step, actuated by an user (fig. 9, col. 9, lines 11-34); and
a retrieval step, on the basis of the actuated search, and the stored decoded signals (fig. 9, col. 9, lines 11-34).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the scheme of Huang in the method of AVIR in order to obtain accurate multimedia information at the client side (Huang, col. 1-3).

Allowable Subject Matter

8. Claims 2-3 are allowed

Contact Information

9. Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

Jingge Wu

Primary Patent Examiner

